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Attorneys for Non-Parties
*Bank of America, N.A., Bank of America Corporation,
Banc of America Securities LLC, Merrill Lynch & Co., Inc.
and Merrill, Lynch, Pierce, Fenner & Smith, Incorporated*

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AURELIUS CAPITAL PARTNERS LP, and
AURELIUS CAPITAL MASTER, LTD.,
Plaintiffs,

v.

THE REPUBLIC OF ARGENTINA,
Defendant.

07 Civ. 2715 (TPG)

AURELIUS CAPITAL PARTNERS, LP and
AURELIUS CAPITAL MASTER, LTD.,
Plaintiffs,

v.

THE REPUBLIC OF ARGENTINA,
Defendant.

07 Civ. 11327 (TPG)

AURELIUS CAPITAL MASTER, LTD. and
ACP MASTER, LTD.,
Plaintiffs,

v.

THE REPUBLIC OF ARGENTINA,
Defendant.

09 Civ. 8757 (TPG)

AURELIUS CAPITAL MASTER, LTD. and
ACP MASTER, LTD.,
Plaintiffs,

v.

THE REPUBLIC OF ARGENTINA,
Defendant.

09 Civ. 10620 (TPG)

(caption continued on following pages)

DECLARATION OF BARRY J. GLICKMAN

AURELIUS OPPORTUNITIES FUND II, LLC and
AURELIUS CAPITAL MASTER, LTD.,

Plaintiffs,

v.

THE REPUBLIC OF ARGENTINA,

Defendant.

10 Civ. 1602 (TPG)

AURELIUS OPPORTUNITIES FUND II, LLC and
AURELIUS CAPITAL MASTER, LTD.

Plaintiffs,

v.

THE REPUBLIC OF ARGENTINA,

Defendant.

10 Civ. 3507 (TPG)

AURELIUS CAPITAL MASTER, LTD. and
AURELIUS OPPORTUNITIES FUND II, LLC,

Plaintiffs,

v.

THE REPUBLIC OF ARGENTINA,

Defendant.

10 Civ. 3970 (TPG)

BLUE ANGEL CAPITAL I LLC,

Plaintiffs,

v.

THE REPUBLIC OF ARGENTINA,

Defendant.

10 Civ. 4101 (TPG)

BLUE ANGEL CAPITAL I LLC,

Plaintiffs,

v.

THE REPUBLIC OF ARGENTINA,

Defendant.

10 Civ. 4782 (TPG)

AURELIUS CAPITAL MASTER, LTD., and
AURELIUS OPPORTUNITIES FUND II, LLC,

Plaintiffs,

v.

THE REPUBLIC OF ARGENTINA,

Defendant.

10 Civ. 8339 (TPG)

STATE OF NEW YORK,
COUNTY OF NEW YORK.

BARRY J. GLICKMAN, pursuant to 28 U.S.C. § 1746 and under the penalties of perjury, declares:

1. I am an attorney and a member of Zeichner Ellman & Krause LLP, attorneys for non-parties Bank of America, N.A., Bank of America Corporation, Merrill Lynch & Co., Inc., and Merrill, Lynch, Pierce, Fenner & Smith, Incorporated (collectively, (the “BofA Entities”).¹ I make this declaration in opposition to plaintiff’s motion to compel compliance with subpoenas dated January 12, 2012 served on the BofA Entities (the “Subpoenas”) and in support of the cross-motion to quash the Subpoenas made by the BofA Entities .

2. Copies of the Subpoenas are attached to the Declaration of plaintiffs’ counsel Eric J. Finkelstein dated October 10, 2012 (the “Finkelstein Declaration”) as Exhibits 2-6.

3. On February 16, 2012 the BofA Entities served Objections and Responses to the Subpoenas (the “Objections”). Copies of the Objections are attached to the Finkelstein Declaration as Exhibits 21-24.

¹ Upon information and belief, Banc of America Securities LLC (“BAS”) is now known as Merrill, Lynch, Pierce, Fenner & Smith, Inc., which is BAS’s successor by merger.

4. By letter dated April 2, 2012 (the “April 2 Letter”) plaintiffs counsel responded to the Objections. A copy of the April 2 letter is attached to the Finkelstein Declaration as Exhibit 44.

5. Thereafter, there was a series of e-mails between the attorneys for the plaintiffs and the BofA Entities, certain of which are attached to the Finkelstein Declaration as Exhibit 45. However, inadvertently or otherwise plaintiffs omit from that Exhibit e-mails (i) dated April 2, 2012 from plaintiffs’ counsel to which the April 2 Letter was attached; (ii) dated April 30, 2012 by which the BofA Entities respond to the April 2 Letter and (iii) dated May 1, 2012 containing the reply of plaintiffs’ counsel. That email chain is attached as Exhibit A.

6. In addition, attached as Exhibit B is a letter dated October 23, 2012 letter from plaintiffs’ counsel to counsel for the respondent banks.

7. In addition, attached as Exhibit C is a subpoena dated November 10, 2010 (the “Earlier Subpoena”) served by plaintiffs on Bank of America, N.A. (“BANA”). By the Earlier Subpoena plaintiffs sought production, in sum, of all documents produced by BANA in response to a subpoena served in an action entitled *NML Capital Ltd. v. Republic of Argentina* (the “NML Subpoena”).

8. At the time plaintiffs served the Earlier Subpoena they knew that BANA had not yet produced any documents in connection with the NML Subpoena and that motions to quash and compel were before this Court.

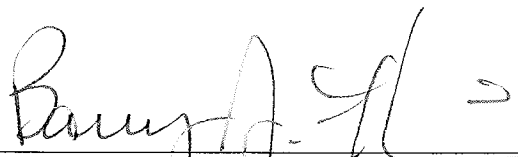
9. As a result of a meet and confer process both before and after this Court decided the motions addressed to the NML Subpoena, NML agreed with BANA to dramatically reduce the scope and attendant burden of the NML Subpoena.

10. On December 22, 2011, BANA complied with the NML Subpoena by a production consistent with the modified scope to which NML's counsel agreed. That same day BANA complied with the Earlier Subpoena by delivering to plaintiffs' counsel CD containing copies of all of the materials produced to NML in compliance with the NML Subpoena including much of that which is within the scope of the Subpoenas they served weeks later.

11. According to the 2011 Bank of America Corporation Annual Report, Bank of America-related entities do business in more than 40 countries around the world.²

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 3, 2012


BARRY J. GLICKMAN

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² http://media.corporate-ir.net/Media_Files/IROL/71/71595/AR2011.pdf (last accessed November 29, 2012).